

Remarks

Reconsideration and reexamination of the above-identified patent application, as amended, are respectfully requested. Claims 1-23 and 25-41 are pending in this application upon entry of this Amendment. In this Amendment, the Applicant has amended claim 12 to correct spelling of the word "Internet". No claims have been cancelled or added in this Amendment. Of the pending claims, claims 1, 13, 25-26, 30, and 35 are the only independent claims.

Claim Rejections - 35 U.S.C. § 103

In the final Office Action mailed December 9, 2004, the Examiner rejected claims 1-6, 9-10, 13-17, 20-21, and 25-41 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,970,505 issued to Ebrahim ("Ebrahim") in view of U.S. Patent No. 6,725,203 issued to Seet et al. ("Seet"). The Applicant respectfully traverses this rejection and believes that these claims are patentable over Ebrahim in view of Seet.

1. Background of the Claimed Invention

As set forth in the Background Art section of the Applicant's specification and as previously indicated in the Amendment dated June 10, 2004, information available on web sites on the World Wide Web, e.g., the Internet, have become an indispensable source for research. However, web based information is not merely an electronic version of a physical publication (such as books, newspapers, magazines, etc.) but is rather a standalone medium with no physical equivalents.

Authors are now citing information from web sites in their manuscripts. In the bibliography section of the manuscript, authors generally include three pieces of information when citing web sites: i) the address of the web site (i.e., a uniform resource locator (URL) such as www.website.com; ii) date the author accessed the web site; and iii) the last modified

date of the web site. A problem with citing web sites as sources of information is that i) web sites are subject to frequent, invisible modification; and ii) web sites may be moved to a new address or removed from the Internet without notice.

An important reason for citing reference material from any source such as the Internet and traditional published material is to enable verification of the reference material. The problem with an author citing a web site as reference material in a manuscript is that the fluid, ever modifiable potential of the content of the web site does not guarantee availability and true verification of the web site material actually used by the author.

As further evidence of the problem with citing web sites, the Applicant had previously submitted with the Amendment dated June 10, 2004 a copy of the article entitled "Here Today, Gone Tomorrow: Studying How Online Footnotes Vanish" by Carlson, <http://chronicle.com>, April 2004. The article describes the problem associated with "the half-life of Internet footnotes" and how this problem arises from "the typical length of time it takes for half of the Web addresses in a scholarly article to become outdated, broken, or changed." A study described in the article noted that the half life of links to web sites was just over a year. The article notes that it is a goal to allow "the Web and Internet-related topics [to be] investigated with the same reliability that one would find in the library."

As such, what is needed is a method and system which enable an audience of a manuscript, which may be reading the manuscript years after the manuscript has been written by an author, to obtain an exact copy of the web sites cited by the author in the manuscript as reference material at the time the author wrote the manuscript. The claimed invention satisfies this need.

2. The Claimed Invention

a. Independent Claims 1, 13, 26, 30, 35

The claimed invention, as set forth in independent claims 1, 13, 26, 30, and 35, is generally directed to methods and systems for archiving web sites cited in a manuscript by an author of a manuscript. As indicated above, web sites are updated frequently and thus cannot guarantee availability/true verification of material from the web sites actually cited by the author. In order to guarantee availability/true verification of web sites actually cited by the author, the claimed invention as recited in independent claims 1, 13, 26, 30, and 35 generally incorporates the following limitations:

1. A database receives a copy of a web site cited in a manuscript such that the copy of the web site is verbatim to the web site as on the Internet (i.e., world wide web) at the time the web site was cited.

2. The database stores the copy of the web site. As such, if the web site is updated subsequent to the time at which the web site was cited, then the updated web site and the stored copy of the web site will be different from one another. The updated web site and the stored copy of the web site being different from one another is a desirous result because the goal is to be able to obtain from the database a copy of the web site in the form that it was as on the Internet at the time the web site was cited, i.e., the goal is to be able to obtain a copy of the web site without the subsequent updates. This goal is satisfied as one can obtain from the database a copy of the web site in the form that it was in as on the Internet at the time the web site was cited whether or not the web site has been subsequently updated, moved, removed, etc.

As set forth in representative independent claim 1, the system includes first and second communications devices and a database connected to the Internet. A manuscript author uses the first device to transfer identification of reference material including a web site cited

by the author in the bibliography of the manuscript to the Internet. The transferred identification includes identification of the web site.

The database receives a copy of the web site from the Internet in response to the author transferring the web site identification to the Internet such that the copy of the web site received by the database is verbatim to the web site as on the Internet at the time the author transferred the web site identification to the Internet. The database transfers a stored copy of the web site to an audience of the manuscript via the Internet in response to receiving a request from the audience for a copy of the web site whereby the copy of the web site received by the audience is verbatim to the web site as on the Internet at the time the author transferred the web site identification to the Internet.

b. Independent Claim 25

As opposed to the general limitations noted above with respect to the claimed invention as recited in independent claims 1, 13, 26, 30, and 35, the claimed invention as recited in independent claim 25 provides for a more generalized approach regarding reference material cited in a manuscript and takes into consideration whether the cited reference material is available or not yet available to an audience of the manuscript.

The system set forth in independent claim 25 includes first and second communications device and a database connected to a network. An author of a manuscript uses the first device to transfer a copy of reference material and reference material availability information to the network. An audience of the manuscript uses the second device to request and receive a copy of the reference material and the reference material availability information from the network.

The database receives a copy of the reference material and the reference material availability information from the author. The database stores an immutable copy of the reference material and the reference material availability information and a distinctive key

associated with the copy of the reference material and the reference material availability information. If the reference material is available, the database transmits a copy of the reference material to the audience in response to receiving a request from the audience for a copy of the reference material. If the reference material is not available, the database transmits a copy of the reference material availability information to the audience in response to receiving a request from the audience for a copy of the reference material.

3. Ebrahim and Seet

a. The Examiner's Characterization of Ebrahim and Seet

In the final Office Action, the Examiner posited that Ebrahim teaches the limitations set forth in the independent claims with the exception explicitly disclosing “ . . . *such that the copy of the web site transferred to the database is verbatim to the web site as on the Internet at the time the author transmitted the web site identification to the Internet . . . whereby the copy of the web site transmitted from the database to the audience is verbatim to the web site as on the Internet at the time the author transmitted the web site identification to the Internet.*” The Examiner posited that Seet discloses this limitation (citing col. 12, lines 1-20, i.e., . . . “Static Advertisement Delivery Method” . . . the “pull” method and the “push” method . . .).

The Examiner posited that it would have been obvious to have modified Seet into Ebrahim to provide a way, wherein the copy of the web site transferred to the database is verbatim to the web site as on the Internet at the time the author transmitted the web site identification to the Internet . . . whereby the copy of the web site transmitted from the database to the audience is verbatim to the web site as on the Internet at the time the author transmitted the web site identification to the Internet.

The Examiner posited that one of ordinary skill would have been motivated to modify this combination to provide the advantages of enabling an author of a subsection of a

document to quickly locate referenced information in other parts of the document or different documents prepared by other authors and then incorporate that information in their own document by importing the reference, by hypertext link, or by simple copying, among other techniques as taught by Ebrahim.

b. The Applicant's characterization of Ebrahim

Ebrahim is generally directed "to document preparation systems used to create sets of related documents." (Col. 1, lines 7-8.) The general relevant teachings of Ebrahim are as follows:

In particular, the present invention is a method for linking data in a document set including a plurality of books written by different groups of authors. The first step involves an author of a first book tagging an information unit (iunit) in that book with a tag that provides information about the iunit, including a semantic attribute and a unique identifier. The author then exports the tag to a tag repository that is accessible to all groups of authors. An author of a second book can then access the tag repository and select a tag whose corresponding information they would like to import into the second book. (Col. 2, lines 4-14.)

* * *

The present invention enables authors 214 to find and create links to information in other books 212 so that the common information need only be generated and maintained by the original set of authors 214. As a first step in the linking process authors 214 of a book 212 designate, or tag, information units (hereinafter, "iunits") within a docunit 218. After tagging, the creating authors export the tagged iunits to a tag repository, from which other authors may then import the exported tags. Following exporting, the tag repository includes pointers to the just-exported iunits in the docunit 218. The tag repository can include pointers to iunits exported from any or all of the books 212. (Col. 4, lines 5-15.)

As such, Ebrahim teaches a method to provide enhanced co-operation between a defined (limited) set of authors involved in a writing project/books, etc.; where the original author of a first document tags information in the first document; the original author then exports the tag to a database (the tag including identification of the tagged information and

likely the tagged information itself); other authors of different documents then search the database to find relevant tags; upon finding a relevant tag, these other authors import the associated tagged information into their documents (the tagged information is imported by the other authors from the database or, presumably, from the first document itself).

With regards to the tagged information being modified or updated, Ebrahim teaches the following:

Referring again to FIG. 2, in the preferred embodiment whenever a docunit 218 is updated using the editor 220, the editor 220 executes a TagMaker program that scans the docunit 218 and generates/updates the tag database 236 from all of the exportable information within the docunit 218. (Col. 5, lines 27-31.)

* * *

As described in reference to FIG. 2, each time one of the authors 214 updates one of the docunits 218 in the book 212 the tag database 236 is updated by the TagMaker with link information for all of the exportable iunits 222. (Col. 7, lines 19-22.)

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In this system, the books 212 and tag databases 236 are updated and managed as in the embodiments of FIGS. 3 and 4. (Col. 7, lines 64-66.)

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Given this configuration, anytime a user updates a docunit the editor 424 executes the TagMaker 426, which updates the local tag database 444. When an author executes the TagExporter 428, that program exports information 415 from the tag database 444 to the computer 360. When an author 214 executes the TagFinder 430 or the DocFinder 432, corresponding requests 417, 419 are issued to the computer 360, which returns information regarding the existence of a pointer to the requested iunit or docunit. (Col. 8, lines 37-45.)

Thus, as described above, Ebrahim teaches that upon the original author updating the tagged information, the other authors are only able to import the updated tagged

information as opposed to being able to import the tagged information prior to the updates. That is, the other authors are unable to obtain the tagged information in the form that it was in prior to the updates.

c. The Applicant's Characterization of Seet

Seet is generally directed to "a system and method for advertising using an Internet browser with a book-like, flipping page-based interface." (Col. 1, lines 16-18.) FIGS. 4, 5A, and 5B and the related description thereto of Seet provide for the general relevant teachings of Seet. FIG. 4 depicts an Advertisement Matching/Delivery system 400 for locating and delivering advertisements into a browsing book which is viewed by an audience. In general, an Internet browsing book 402 receives Internet pages from a book 405 at a book site 404 on the Internet. Advertisements are selected from a database of advertisements 410 based on the contents of the Internet pages. The database of advertisements is created as a result of an author 413 generating advertisements for storage in the database. The selected advertisements are incorporated with the Internet pages into the browsing book. As such, the browsing book includes the Internet pages and the selected advertisements for an audience.

Seet discloses two methods for incorporating selected advertisements with the Internet pages in the browsing book 401. These two methods are: the "dynamic advertisement streaming method" (see, generally, col. 11, lines 16-67) and the "static advertisement delivery method." The static advertisement delivery method can be divided into two methods: the "push" and the "pull" methods (see, generally, col. 12). Seet provides a general description of the dynamic and static methods:

static advertisements are pre-incorporated into the books 405 before they are downloaded and viewed while dynamic advertisements are streamed into the browsing book 401 as they are being viewed on the Internet browsing book site 402) (Col. 13, lines 38-43.)

Thus, the term “static” refers to selected advertisements being incorporated into a book 405 at book site 404 prior to a browsing book 401 downloading Internet pages from the book site. Likewise, the term “dynamic” refers to selected advertisements being incorporated with the Internet pages at the time the Internet pages are downloaded to a browsing book 401.

4. The Claimed Invention Compared to Ebrahim and Seet

The Applicant submits that the claimed “web site” and the advertisements of Seet are not equivalent to one another. In general, a web site is subject to any number of invisible modifications and may be revised any number of times and at any time by an author of the web site. Seet discloses that the contents (i.e., Internet web pages) displayed to the audience in browsing book 401 are loosely related HTML pages and that the advertisements are inserted into this content. Such advertisements are submitted by advertisers to the advertising database as fixed, unchangeable files which are not subject to invisible modifications as compared with actual web sites.

A web site is defined as “a set of interconnected web pages, usually including a homepage, generally located on the same server, and prepared and maintained as a collection of information by a person, group, or organization” (www.dictionary.com). A web page is defined as “a document on the World Wide Web, consisting of an HTML file and any related files for scripts and graphics, and often hyperlinked to other documents on the Web” (www.dictionary.com). Clearly, the advertisements of Seet are not web sites nor web pages *per se* as the advertisements are inserted into web pages (i.e., the HTML pages).

Therefore, the Applicant posits that Seet does not teach or suggest “. . . such that the copy of the web site transferred to the database is verbatim to the web site as on the Internet at the time the author transmitted the web site identification to the Internet . . . whereby the copy of the web site transmitted from the database to the audience is verbatim to the web site as on the Internet at the tie the author transmitted the web site identification to the Internet” as claimed.

a. Independent Claim 25

The Applicant believes that independent claim 25 is patentable over any combination of Ebrahim and Seet as neither of these two references teach or suggest provisions for distinguishing whether or not reference material stored in a database is available or not yet available for an audience as claimed.

b. Dependent Claim 39

In rejecting claim 39, the Examiner cited col. 12, lines 18-21 of Seet (i.e. ... time of display of advertisement on the book sites' book 405, length of display time, dimensions of advertisement, position in the book 405 in which it will appear, rates offered, etc.). The word "time" in "time of display of advertisement" as taught by Seet refers to the time at which the advertisement would be displayed in the content presented in browsing book 401 and does correlate to the claimed "time at which the web site was accessed."

5. Improper Combination of Ebrahim and Seet

The Applicant respectfully traverses the Examiner's modification of Ebrahim with Seet. As described above, Ebrahim teaches that the tagged information provided by an author to a database at a given time is subsequently updated at a future time without having the author transfer the updates to the database. That is, the tagged information is continually updated. Accordingly, if an audience wants tagged information that was provided by the author to the database at a past time, then this tagged information will be unavailable from the database at a future time if the author has subsequently changed the tagged information.

As such, in Ebrahim, the tagged information stored in the database is subject to modifications and the modifications result in the tagged information stored in the database being modified. This teaching is in direct contrast to the claimed invention in which the web

sites, which are also subject to modifications, are stored in the database and future updates are ignored by the database.

As described above, Seet teaches that the advertisements provided by an author to a database are stored in the database as fixed, unchangeable files which are not subject to modifications. Again, this teaching is in direct contrast to the claimed invention in which the database stores information (i.e., web sites) which are subject to modifications.

The combination of Ebrahim and Seet is improper as Ebrahim teaches that information stored in a database is modified in the database after it has been stored whereas Seet teaches that the nature of information stored in a database is not modifiable after it has been stored. Thus, modifying Ebrahim with Seet as posited by the Examiner would result in defeating the purpose of Ebrahim which is to update stored information.

Further, the Applicant wishes to take this opportunity to remind the Examiner of the article "Here Today, Gone Tomorrow: Studying How Online Footnotes Vanish" by Carlson, April 2004 - published in 'The Chronicle of Higher Education' (<http://chronicle.com>) which the Applicant previously submitted as indicated above. The publisher of this article is a preeminent reporter/publisher for the Higher Education and Research markets. The article throws light on the fact that the problem solved by the claimed invention has plagued the best minds of the research and academic community. It is therefore the Applicant's position that it is extremely doubtful that the claimed invention would have been obvious to a person with ordinary skill in the art to which said subject matter pertains or would have enabled such a person to become aware of the claimed invention through any combination of Ebrahim and Seet.

In view of the foregoing remarks, the Applicant respectfully requests reconsideration and withdrawal of the rejection to the claims under 35 U.S.C. § 103(a) in view of Ebrahim and Seet.

6. Dependent Claims 7-8, 11-12, 18-19, and 22-23

In the final Office Action, the Examiner rejected claims 7-8, 11-12, 18-19, and 22-23 under 35 U.S.C. § 103(a) as being unpatentable over Ebrahim in view of Seet in further view of U.S. patent publication 2002/0152215 issued to Clark et al. (based on provisional patent application 60/243,259). Claims 7-8, 11-12, 18-19, and 22-23 depend from one of independent claims 1 and 13 and include the limitations therein. Thus, the Applicant respectfully requests reconsideration and withdrawal of the rejection to claims 7-8, 11-12, 18-19, and 22-23 under 35 U.S.C. § 103(a) over Ebrahim in view of Seet in further view of Clark.

CONCLUSION

In summary, claims 1-23 and 25-41 meet the substantive requirements for patentability. The case is in appropriate condition for allowance. Accordingly, such action is respectfully requested. If a telephone or video conference would expedite allowance or resolve any further questions, such a conference is invited at the convenience of the Examiner.

Respectfully submitted,

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